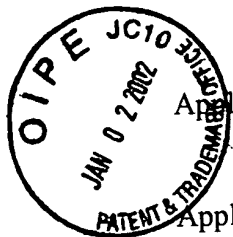


IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



Applicant:

Raymond J. Dattwyler, Gerald Seinost, Daniel Dykhuizen, Benjamin J. Luft and Maria J. C. Gomes-Solecki

Application No.:

09/596,746

Group Art Unit:

1645

Filed:

June 19, 2000

Examiner:

R. Swartz

For:

GROUPS OF *BORRELIA BURGDORFERI* AND *BORRELIA AFZELII*  
THAT CAUSE LYME DISEASE IN HUMANS

CERTIFICATE OF MAILING	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Assistant Commissioner for Patents, Washington, D.C. 20231	
on <u>10-19-01</u>	<u>Hollie Wakefield</u>
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Typed or printed name of person signing certificate	

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REPLY TO RESTRICTION REQUIREMENT

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

Responsive to the Restriction Requirement dated September 19, 2001, the claims of Group I (Claims 1-13 and 39-43) drawn to polypeptides, are elected for initial prosecution subject to the traversal set forth below. Applicants reserve the right to file a continuing application or take such other appropriate action as deemed necessary to protect the non-elected inventions. Applicants do not hereby abandon or waive any rights in the non-elected inventions.

Responsive to the requirement for an election of species for searching purposes, Applicants hereby elect SEQ ID NO: 30 as the species. Applicants agree that Claims 1 - 42 and 43 - 47 are generic.


Applicants respectfully traverse the Restriction Requirement. Applicants agree that the product of Group I can be used in the method of immunizing of Group II or the method of detecting of Group III. However, the independent claims of Groups II and III require the same

elements as found in Claim 1. The basis of the invention of Groups II and III is the composition described in Claims 1, 14 and 27 and it is the composition that provides inventiveness to the method of immunizing and the method of detecting claimed in Groups II and III, respectively. Applicants further believe a search of Groups II and III primarily requires a search of the composition claimed in Claim 1. Therefore, there would be no serious burden on the Examiner to include the claims of Groups II and III within the search of Group I.

For these reasons, Applicants respectfully request the rejoining of Groups II and III with Group I, or at least the rejoining of Group III with Group I.

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

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